

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE TRAVELERS INDEMNITY COMPANY
OF AMERICA,

Plaintiff,

-against-

OHIO SECURITY INSURANCE COMPANY,
Defendant.

23-cv-3451 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

Further to the initial pretrial conference held in this matter on August 24, 2023, the Court issues the following order concerning discovery and motion practice:

1. The parties shall exchange initial required disclosures under Fed. R. Civ. P. 26(a) on or before **September 1, 2023**.
2. The parties shall conduct initial discovery to commence immediately and to be completed no later than **October 23, 2023**. Within this time, the parties must exchange all documents that are necessary to determine whether Defendant has a duty to defend and to indemnify Shawmut Design and Construction, Zara USA, Inc., Eklecco Newco LLC, and Pyramid Management Group, LLC in connection with *John Autenrieth v. Eklecco Newco, LLC, et al.*, 154753/2018 in the Supreme Court of the State of New York. As discussed at the conference, the parties should produce documents starting immediately and on a rolling basis, without waiting for requests for the production of documents to be served.
3. By **November 20, 2023**, Defendant must move for summary judgment on any issue that is ripe for disposition, and in particular the duty to defend and to indemnify. Plaintiff must file a combined (1) opposition to Defendant's motion and (2) cross-motion for summary judgment no later than **December 4, 2023**.

4. Defendant must file a combined (1) opposition to Plaintiff's motion and (2) reply in further support of its motion no later than **December 13, 2023**. Plaintiff must file any reply in further support of its motion by **December 20, 2023**. Each party is limited to **40 pages** total.
5. The Court does not anticipate extending these motion deadlines, so if there are disputes concerning discovery, those disputes should promptly be brought to the Court's attention consistent with its Individual Practices.
6. The Court will schedule a further conference in this matter if and when required.

SO ORDERED.

Dated: August 25, 2023
New York, New York

A handwritten signature in dark ink, appearing to read 'Arun Subramanian', is written over a horizontal line.

ARUN SUBRAMANIAN
United States District Judge